

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Criminal No. 1:21-CR-119
	:	
v.	:	(Judge Rambo)
	:	
JAMES PATTERSON	:	
Defendant	:	Electronically Filed

PRAECIPE TO ATTACH EXHIBITS

Kindly docket the attached Exhibit 1 and Exhibit 4 to Defendant's
Sentencing Memorandum, which was filed electronically on March 19, 2024.

Respectfully Submitted:

GIBBEL KRAYBILL & HESS, LLP

Date: 4.11.2024

By: /s/ Jason Asbell
Jason Asbell
Atty. I.D. No. 304884
2933 Lititz Pike
PO Box 5349
Lancaster, PA 17606
(717) 291-1700

EXHIBIT 1



Dauphin County Court of Common Pleas

Court Summary

Patterson, James
 Middletown, PA 17057
 Aliases:
 James K. Patterson
 James Keith Patterson
 James Keith Patterson Jr.
 James Patterson
 James Patterson Jr.

DOB: 03/06/1991

Sex: Male
 Eyes: Brown
 Hair: Black
 Race: Black

Active**Dauphin****CP-22-CR-0000375-2020**

Proc Status: Awaiting Formal Arraignment

DC No:

OTN X2929205

Arrest Dt: 10/09/2019

Trial Dt:

Legacy No:

Def Atty: Palermo, Michael Oresto Jr. - (PR)

Last Action:

Last Action Date:

Last Action Room:

Next Action: Formal Arraignment

Next Action Date: 03/06/2020

Next Action Room: Jury Assembly Room

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 6105 §§ A1	F2	Possession Of Firearm Prohibited	
2	18 § 6106 §§ A1	F3	Firearms Not To Be Carried W/O License	
3	35 § 780-113 §§ A30	F	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	
4	35 § 780-113 §§ A30	F	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	
5	18 § 903	F	Conspiracy - Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	
6	18 § 5126 §§ A	F3	Flight To Avoid Appreh/Trial/Punish	
7	35 § 780-113 §§ A30	F	Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver	
8	18 § 7512 §§ A	F3	Criminal Use Of Communication Facility	

CP-22-MD-0001346-2015

Proc Status: Awaiting Hearing

DC No:

OTN:T4231172

Arrest Dt:

Trial Dt:

Legacy No:

Last Action:

Last Action Date:

Last Action Room:

Next Action:

Next Action Date:

Next Action Room:

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3701 §§ A1V		Robbery-Take Property Fr Other/Force	
2	18 § 903		Conspiracy - Robbery-Take Property Fr Other/Force	

Closed**Dauphin****CP-22-CR-0004163-2006**

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN:R0022831

Arrest Dt:

Disp Date: 04/16/2007

Disp Judge: Cherry, John F

CPCMS 3541

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Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense

21-CR-00119-Docs-00055



Dauphin County Court of Common Pleas Court Summary

Patterson, James (Continued)

Closed (Continued)

Dauphin (Continued)

Seq No Statute

Sentence Dt. Sentence Type

1 18 § 3701 §§ A11
04/16/2007 Confinement

2 18 § 903 §§ A2
04/16/2007 Confinement

Grade Description

Program Period

Sentence Length

Disposition

F1 Robbery-Infrict Serious Bodily Injury Guilty Plea

Other Min: 2 Year(s) Max: 5 Year(s)

F1 Criminal Conspiracy Aiding - Guilty Plea

Other Robbery-Infrict Serious Bodily Injury
Min: 2 Year(s) Max: 5 Year(s)

CP-22-CR-0004321-2006

Arrest Dt:

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN R0023310

Def Atty: Brownell, Kelli Jean - (PR)

Disp Date: 04/16/2007 Disp Judge: Cherry, John F.

Seq No Statute

Sentence Dt. Sentence Type

1 18 § 3701 §§ A11
04/16/2007 Confinement

2 18 § 903 §§ A2
04/16/2007 Confinement

Grade Description

Program Period

Sentence Length

Disposition

F1 Robbery-Infrict Serious Bodily Injury Guilty Plea

Other Min: 2 Year(s) Max: 5 Year(s)

F1 Criminal Conspiracy Aiding - Guilty Plea

Other Robbery-Infrict Serious Bodily Injury
Min: 2 Year(s) Max: 5 Year(s)

CP-22-CR-0004756-2008

Arrest Dt: 09/04/2008

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN K8615832

Def Atty: Platt, Brian Paul - (PD)

Disp Date: 02/02/2009 Disp Judge: Cherry, John F.

Seq No Statute

Sentence Dt. Sentence Type

1 35 § 780-113 §§ A16
02/02/2009 No Further Penalty

2 35 § 780-113 §§ A31
02/02/2009 No Further Penalty

Grade Description

Program Period

Sentence Length

Disposition

M Int Poss Contr Subst By Per Not Reg Guilty Plea

M Poss Of Marijuana Guilty Plea

CP-22-CR-0002288-2012

Arrest Dt:

Proc Status: Awaiting Post Sentence Motion

DC No:

OTN T1663001

Disp Date: 01/21/2015 Disp Judge: Lewis, Richard A.

Seq No Statute

Sentence Dt. Sentence Type

1 35 § 780-113 §§ A30
01/26/2015 Confinement

2 35 § 780-113 §§ A311

3 35 § 780-113 §§ A32

4 18 § 2705

Grade Description

Program Period

Sentence Length

Disposition

F Manufacture, Delivery, or Possession Guilty Plea
With Intent to Manufacture or Deliver

Other Min: 36 Month(s) Max: 72 Month(s)

M Marijuana-Small Amt Personal Use Withdrawn

M Use/Poss Of Drug Paraph Withdrawn

M2 Recklessly Endangering Another Person Withdrawn

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21-CR-00119-Docs-00056



Dauphin County Court of Common Pleas Court Summary

Patterson, James (Continued)

Closed (Continued)

Dauphin (Continued)

<u>Seq No</u>	<u>Statute</u>		<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
5	75 § 3733 §§ A		M2	Fleeing or Attempting to Elude Officer	Guilty Plea
	01/26/2015	Confinement	Life	Min: 12 Month(s) Max: 24 Month(s)	
6	75 § 1543 §§ A		S	Driv While Oper Priv Susp Or	Withdrawn
				Revoked	
7	75 § 3309 §§ 1		S	Disregard Traffic Lane (Single)	Withdrawn
8	75 § 3334 §§ A		S	Turning Movements And Required	Withdrawn
				Signals	
9	75 § 3361		S	Driving at Safe Speed	Withdrawn
10	75 § 3736 §§ A		S	Reckless Driving	Guilty Plea
	01/26/2015	No Further Penalty			
11	75 § 3745 §§ A		S	Acci Dam To Unattended Veh Or	Withdrawn
				Proper	
12	75 § 4303 §§ B		S	No Rear Lights	Withdrawn
13	75 § 3714 §§ A		S	Careless Driving	Withdrawn
14	75 § 4581 §§ A2i		S	Fail to use safety belt - driver and	Withdrawn
				vehicle occupant	
15	75 § 4703 §§ A		S	Operat Veh W/O Valid Inspect	Withdrawn

CP-22-CR-0002824-2012

Proc Status: Awaiting Post Sentence Motion

DC No:

OTN T1719384

Arrest Dt:

Disp Date: 01/21/2015

Disp Judge: Lewis, Richard A.

<u>Seq No</u>	<u>Statute</u>		<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 6105 §§ A1		F2	Possession Of Firearm Prohibited	Guilty Plea
	01/26/2015	Confinement	Other	Min: 60 Month(s) Max: 120 Month(s)	

CP-22-CR-0001056-2013

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN:L7576472

Arrest Dt: 01/11/2013

Disp Date: 01/21/2015

Disp Judge: Lewis, Richard A.

Def Atty: McQuillan, Bryan Matthew - (PR)

<u>Seq No</u>	<u>Statute</u>		<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 5503 §§ A4		S	Disorder Conduct Hazardous/Physi	Withdrawn
				Off	
2	18 § 5121 §§ A		M2	Escape	Guilty Plea
	01/26/2015	Confinement	Other	Min: 12 Month(s) Max: 24 Month(s)	
3	18 § 5126 §§ A		F3	Flight To Avoid Appreh/Trial/Punish	Withdrawn
4	18 § 4914 §§ A		M3	False Identification To Law	Guilty Plea
				Enforcement Officer	
	01/26/2015	Confinement	Other	Min: 6 Month(s) Max: 12 Month(s)	

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21-CR-00119-Docs-00057



Dauphin County Court of Common Pleas **Court Summary**

Patterson, James (Continued)

Closed (Continued)

Dauphin (Continued)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>
5	18 § 3921	§§ A	M3	Theft By Unlaw Taking-Movable Prop
				Withdrawn Pursuant to Pa.R.Crim.P. 561(B)

CP-22-CR-0006331-2013

Proc Status: Sentenced/Penalty Imposed

DC No

OTN T3990556

Arrest Dt: 11/13/2013

Disp Date: 01/21/2015

Disp Judge: Lewis, Richard A.

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>
1	18 § 5121	§§ A	M2	Escape
	01/21/2015	Confinement	Other	Guilty Plea
				Min: 12 Month(s) Max: 24 Month(s)
2	18 § 4914	§§ A	M3	False Identification To Law
				Guilty Plea
	01/21/2015	Confinement	Other	Enforcement Officer
				Min: 6 Month(s) Max: 12 Month(s)

CP-22-MD-0001502-2013

Proc Status: Completed

DC No:

OTN T3990556

Arrest Dt: 11/13/2013

Disp Date:

Disp Judge:

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 5121	§§ A	M2	Escape
2	18 § 4914	§§ A	M3	False Identification To Law
				Enforcement Officer

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21-CR-00119-Docs-00058

EXHIBIT 4



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Dauphin County cut power to men in jail's 'hole' for 2 weeks: 'Darkness creates depression'

Updated: Mar. 13, 2024, 5:36 a.m. | Published: Mar. 13, 2024, 5:09 a.m.



Tour of the Dauphin County Prison in May 2015. Mark Pynes | mpynes@pennlive.com



By [Joshua Vaughn | jvaughn@pennlive.com](mailto:jvaughn@pennlive.com)

The lights went out for men living on two segregation blocks in the basement of Dauphin County Prison late last year, and stayed off more than two weeks, PennLive has learned

That left them in the dark for at least 14 hours each day.

On top of this, men on the block were stripped down to just a T-shirt and underwear, according to two people incarcerated there. Their personal belongings were taken out of the cell, including tablets, writing materials and legal paperwork, some of which represent protected communications between the incarcerated men and their attorneys.

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Without tablets, the men had no access to religious texts, the law library or any incoming mail that their loved ones sent, because mail goes to a processing area off site and its contents are uploaded to the tablets.

Jail employees confirmed to PennLive, on the condition of anonymity, that power was cut off, cells were stripped, including of legal work, and the orders to do so came from command staff.

This went on for 17 days in November, according to Kani Little and Taji Abdullah, who remain locked up in Dauphin County.

County officials admitted the power was cut and said it was because incarcerated people were misusing electrical outlets to smoke, but advocates contend the action was unconstitutional.

It's unclear how many men were affected by the blackout as county officials won't reveal the number of people they put in segregation, also known as "the hole," where certain people are sent for additional punishment.

"Power was cut off purposefully to certain cells because inmates were tampering with the electrical outlets to smoke, which obviously presents a serious fire hazard to inmates, staff and the entire facility, while also presenting other dangers to those inside the facility," said county spokesperson Diane McNaughton, in a statement provided last week. She refused to answer questions about taking the men's clothes and belongings, citing an "on-going criminal investigation."

The county's excuse for cutting the power was rebuffed by advocates.

"Solitary confinement without electricity and lights for more than two weeks is torture," said Bret Grote, legal director of the Abolitionist Law Center. "It is illegal and indefensible, no matter the pretext."

As with most potential violations of civil rights behind bars, the affected people have little recourse except to file a lawsuit, which can be costly and time consuming.

The hole is where incarcerated people accused of prison violations are taken. Advocates often refer to these kinds of units as a jail within a jail.

When PennLive started asking questions about the blackout in January, county officials scrambled behind the scenes to figure out what to say and how to avoid admitting the jail has a problem keeping illegal drugs out, according to emails obtained by PennLive through a Right-to-Know request.

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In an email exchange between the county spokeswoman and newly elected county commissioner Justin Douglas from January, McNaughton said PennLive often inquires about “rumors” from inmates.

She went on to say that the county had not answered questions about the power being cut off as “punishment” but said “we have been reassured by the warden that this is not the case.”

McNaughton told PennLive that the incident was under investigation and the county would not provide a comment in January. It was not until March that she admitted the power was cut off.

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Other emails showed Warden Gregory Briggs wanted to find out which inmates might be talking to PennLive and what they were saying.

He sought the names of individuals visited by the Pennsylvania Prison Society, believing that could indicate who was talking, reviewed calls between PennLive and incarcerated people, and asked to hide details about problems with drugs inside the jail.

“It’s really disturbing that a warden of a jail in crisis, where people are dying and where there is pervasive lawlessness, is investing the time of his staff in controlling the message and outflow of information rather than dealing with the very serious problems,” said Claire Shubik-Richards, executive director of the Pennsylvania Prison Society. “It’s really disturbing that he’s diverting staff energy away from dealing with the lawlessness and violence in his facility and is preoccupied with preventing the truth from getting to the public.”

Fwd: Call Alert



Briggs, Gregory <MAILER-DAEMON>

Saturday, January 6, 2024 at 8:04 PM

To: Cuffaro, Jill; Lucas, Roger C; Pierre, Lionel; LeValley, Bruce; +1 more ▾

Let me know who [REDACTED] visited over there this week. Nobody on the block before this week was calling JV now they are. Bruce send me all the calls to him when you get a chance.

Thanks

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An email from Warden Gregory Briggs asking for the names of all the people visited by a Prison Society volunteer and the recordings of all calls between incarcerated people and PennLive. Open Records Request

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'We had to eat in the dark'

The men who languished in the basement in November said the darkness exacerbated existing problems in the jail.

"Darkness creates depression," said Kani Little. "When you don't really have that light, I was very depressed, very stressed."

The hole is located in the basement where only a small amount of light comes in through the windows during the day. It becomes pitch black once the sun goes down.

"We had to eat in the dark," said Abdulah. "We went to the bathroom in the dark."

Both Abdullah and Little said it was difficult to tell if they were given the proper medications and said the darkness made it difficult to tell if bugs or rodents, which are a frequent complaint of incarcerated people, got into their food or beds.

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An inspection by the Pennsylvania Department of Corrections in May 2023 found a cockroach infestation in the jail's kitchen.

"During a physical inspection of the kitchen area the Inspectors observed numerous (excess of 10) deceased cockroaches on the floor, primarily in the tray washing machine area," the report reads, noting the generally unsanitary conditions of the kitchen.

After being stripped of most of his clothing, Abdullah said: "I was freezing down there but I just had to put up with it. I just had to wrap up in my blanket and I just had to put up with it."

Little said that he begged corrections officers to turn the lights back on, but he said he was told they couldn't because the orders came from senior command staff.

Drug use rampant

Around the same time officials shut the power off in the hole, the county asked the U.S. Marshals to send fewer detainees to help address drug use in jail.

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PennLive asked why the number of detainees dropped by about a third and was told it was to “address special housing” needs.

But that wasn’t the whole story.

In a Jan. 25 email, Deputy Warden Lionel Pierre said the space was needed to “address the smoking issue that was making staff and inmates sick.”

In response, Briggs wrote: “I don’t think I want (PennLive’s reporter) Vaughn to have that.”

Then Briggs asked his deputy warden to come up with a response blaming the lower number of detainees on staffing shortages.

“Wordsmith a supply and demand?” Briggs wrote in the email. “We don’t have the supply of staff so we are trying to reduce the demand on them?”

RE: Federal contract question



Briggs, Gregory <MAILER-DAEM...>

Thursday, January 25, 2024 at 10:26 AM

To: Pierre, Lionel; Bey, John

I don't think I want Vaughn to have that. Wordsmith a supply and demand? We don't have the supply of staff so we are trying to reduce the demand on them?

From: Pierre, Lionel <lpierre@dauphincounty.gov>**Sent:** Thursday, January 25, 2024 10:22 AM**To:** Bey, John <jbey@dauphincounty.gov>; Briggs, Gregory <GBriggs@dauphincounty.gov>**Subject:** RE: Federal contract question

Why did the number of federal inmates drop in December and January?

Has the county reduced the number of federal inmates it is willing to house at the jail? If so, why?

Or has the federal government not been sending as many inmates to DCP?

On November 13, 2023, the Prison requested that the number of Federal inmates temporarily be reduced to address special housing space that was needed. (The space was needed to address the smoking issue that was making staff and inmates sick. We were moving inmates around to try and identify the source of the contraband.) I haven't officially withdrawn the request.

An email exchange between Warden Gregory Briggs and Deputy Warden Lionel Pierre shows Briggs told Pierre to avoid telling PennLive that drugs were an issue inside the jail leading to a reduction in federal detainees. submitted

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The official response provided to PennLive by the county made no mention of drug use for the reduction of federal detainees.

The federal government pays Dauphin County \$105 per day per detainee. A reduction of 30 people, which is about what the county asked for, equates to about \$95,000 less being paid to the county each month.

The blackout and detainee reduction doesn't appear to have stamped out drug use behind bars.

Drug use inside the jail remains rampant, according to incarcerated men and women and staff who spoke with PennLive.

On Dec. 19, an officer called 911 to report what was believed to be a drug overdose. During that call, the officer told dispatchers that it was believed the man had smoked K2, also known as spice or synthetic marijuana.

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The officer told dispatchers, "they smoke on the block all day," according to 911 dispatch records obtained by PennLive.

It's unclear exactly how illegal drugs get into the prison, but Dauphin County does not allow any in-person contact visits with inmates. A clear glass wall separates incarcerated people from visitors, and they have to speak to each other on two-way telephones.

The county has paid telecommunications firm ViaPath roughly \$50,000 a year since 2021 to process and scan mail so no physical mail enters the facility. Legal mail is sent to the jail but incarcerated people receive the mail, copy it and then shred the originals under the supervision of staff.

The mail policies were designed to cut down on drugs infiltrating the jail.

Around the same time, the county instituted a policy where staff are supposed to be required to place any items they are bringing into the jail in a clear bag. At the time, officials said they saw a “noticeable drop” in illegal substances making it behind the walls.

A review of 911 dispatch data by PennLive, however, found the number of calls for suspected overdoses has increased significantly since the mail policies were put into place. There were more than twice as many calls for suspected overdoses at the jail in 2022 and 2023 compared with the two years prior.

The jail does not track how often drugs are confiscated, and McNaughton did not respond to questions about how the jail was trying to reduce drugs from coming into the jail.

“It is common knowledge that the vast majority of drug contraband that enters jails and prisons is brought in by staff,” Grote said. “If jail officials want to get serious about the harms of illicit drug use they will work with community groups to decarcerate the jail and invest in treatment facilities, housing and economic opportunities.”

Decarceration is an effort to reduce the number of people incarcerated. Dauphin County, like many prisons, are populated disproportionately with people of color.

“The drug war has been used for far too long to provide a fig leaf for racist state violence,” Grote said, “and its use in this instance is no different.”

Stories by **Joshua Vaughn**

A remembrance of love and a call for justice for man who died at Dauphin County Prison

Family fears jail death won't be investigated fairly: 'He's not supposed to be dead'

Parents lead protests after death of 33-year-old in Dauphin County jail: 'What happened to my son?'

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CERTIFICATE OF SERVICE

I, M. Jason Asbell, Esquire, do hereby certify that I served a copy of the foregoing **Praecipe to Attach** via email to the following:

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